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Attorneys for Plaintiffs
MICHAEL ROBEY, MOE ASGHARNIA and
JAMES COMB Individually and On Behalf
of a Class of Similarly Situated Individuals

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA,
SAN FRANCISCO DIVISION

MICHAEL ROBEY, MOE ASGHARNIA and
JAMES COMB Individually and On Behalf of a
Class of Similarly Situated Individuals,

Plaintiffs,

vs.

TOYOTA MOTOR SALES, U.S.A., INC. and
TOYOTA MOTOR CORPORATION,

Defendants.

Case No. 3:16-cv-07212-EMC

[Assigned to Hon. Edward M. Chen]

CLASS ACTION

**JOINT STIPULATION AND [PROPOSED]
ORDER CONCERNING TIME TO FILE
RESPONSE TO AMENDED COMPLAINT**

Complaint Filed: December 16, 2016
Complaint Served: January 5, 2017
1st Amended Complaint Filed: April 7, 2017

1 Plaintiff MICHAEL ROBEY, MOE ASGHARNIA and JAMES COMB Individually and On
 2 Behalf of a Class of Similarly Situated Individuals (“Plaintiffs”), and Defendant TOYOTA
 3 MOTOR SALES, U.S.A., INC. (“Defendant”) (collectively the “Parties”), by and through their
 4 respective counsel, hereby stipulate as follows:

5 **WHEREAS**, Plaintiffs filed this putative class action complaint against Defendant in the
 6 Northern District of California, San Francisco Division, on December 16, 2016 (the “Complaint”);

7 **WHEREAS**, Plaintiffs served the Complaint on Defendant on January 5, 2017;

8 **WHEREAS**, Defendant filed a Motion to Dismiss the Complaint on February 24, 2017;

9 **WHEREAS**, Plaintiffs filed an Amended Complaint on April 7, 2017, containing
 10 significant amendments;

11 **WHEREAS**, on May 10, 2017, pursuant to stipulation of the parties, this court entered an
 12 order granting an extension of time until May 26, 2017 for Defendant to file a response to Plaintiffs’
 13 Amended Complaint;

14 **WHEREAS**, the Parties are continuing discussions to determine whether it is feasible to
 15 resolve this matter without the need for further litigation;

16 **WHEREAS**, the Parties agree that a 45-day continuance of the deadline for Defendant to
 17 respond to Plaintiffs’ Amended Complaint will facilitate the Parties’ settlement discussions, and
 18 result in a more efficient expenditure of judicial resources. The parties have made some progress in
 19 their discussions and do not presently believe a further continuance will be necessary;

20 **WHEREAS**, the Parties request that Defendant’s deadline to respond to Plaintiffs’
 21 Amended Complaint, currently set for May 26, 2017, be continued to July 10, 2017;

22 **WHEREAS**, the Parties have previously requested two extensions of time for Defendant to
 23 file a response to Plaintiffs’ Amended Complaint;

24 **WHEREAS**, counsel for Defendant, as the filer of this document, attests that concurrence in
 25 the filing of the document has been obtained from each of the other signatories;

26 **IT IS THEREFORE STIPULATED BETWEEN THE PARTIES THAT**, subject to the
 27 Court’s approval:

1. Defendant's response to Plaintiffs' Amended Complaint shall be continued from May 26, 2017, until July 10, 2017. If by that date the parties have reached an agreement in principal, they shall notify the Court and provide a timeframe by which they believe a settlement will be finalized, Defendant shall be relieved of its obligation to respond to the Complaint during that period, subject to the Court's approval.

Dated: May 25, 2017

DYKEMA GOSSETT LLP

By: /s/ Tamara A. Bush.
John M. Thomas
Tamara A. Bush
Attorneys for Defendant
TOYOTA MOTOR SALES, U.S.A., INC.

Dated: May 25, 2017

GLANCY PRONGAY & MURRAY LLP

By: /s/ Mark S. Greenstone.
Lionel Z. Glancy
Mark S. Greenstone
Attorneys for Plaintiffs
MICHAEL ROBEY, MOE ASGHARNIA
and JAMES COMB Individually and On
Behalf of a Class of Similarly Situated
Individuals

General Order 45, Section X Certification

The filing attorney hereby certifies that concurrence in the filing of the document has been obtained from each signatory, in accordance with N.D. Cal. Gen. Order 45, Section X(B).

~~[PROPOSED]~~ ORDER

Having reviewed the Parties' Joint Stipulation and [Proposed] Order Concerning Time to File Response to Amended Complaint, and for good cause appearing, **IT IS HEREBY ORDERED THAT:**

1. Defendant's response to Plaintiffs' Amended Complaint shall be continued from May 26, 2017, until July 10, 2017.

IT IS SO ORDERED.

DATED: 5/30/17



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